

May 26, 2001

Ms. Donna Wieting
Chief, Marine Mammal Conservation Division
Office of Protected Resources
National Marine Fisheries Service (NMFS)
1315 East West Hwy.
Silver Spring, Md. 20910-3226

Re: Response to SURTASS LFAS EIS

Dear Ms. Wieting,

I am writing you as a concerned citizen, nurse practitioner and cetacean naturalist to officially log my responses to the SURTASS LFA SONAR EIS. Please see my letter (I-683) registering my responses to the DEIS. Though I appreciated the EIS addressing the concerns I raised, I don't feel that the response was adequate and my concerns remain on all the issues I presented. **I am opposed to the implementation of the LFAS system in our oceans. I am opposed to NMFS granting permission for this system** on the grounds that it poses too great a risk to the health of already endangered marine mammals worldwide. I also have concerns about the impact of LFAS on human health, as experienced by some here in Hawaii as well as concerns about the potential negative impact on the overall health of our oceans. What is not known is greater than what is known re: the implementation of this system. What is known raises grave concerns for potential negative biological impacts. **I ask NMFS to act ethically and responsibly in protecting the world's oceans by denying the requested permits and supporting the Navy's No Action Alternative.**

Since the writing of this EIS, a noted marine biologist, Ken Balcolm, has observed and participated in necropsies of the cuviens beaked whales that beached, many of whom died, near his home in the Bahamas(Spring, 2000). As you likely know, the Navy chose to discount the fact that these necropsy results which found hemorrhaging around the brain and ear bones of these whales could have any relevance to LFA SONAR since the military operations in the area at the time, likely effecting these whales was "midrange" frequency. Residents of Hawaii who attended the hearing in Honolulu reportedly were told that the above information was irrelevant and not acceptable for discussion at these hearings. This response is unacceptable. Many citizens believe this data holds great relevance and reason for concern about the implementation of the LFAS program. Ken Balcolm noted that none of the 50 Cuvier's beaked whales that frequented the Bahamas year round have been seen since the stranding observed in the Spring of 2000. He presumes that all have died. I have read the preliminary necropsy reports concerning these whale deaths in the Bahamas and I have read the comments of other noted whale researchers, Dr. Hal Whitehead and Linda Weilgart PhD in response to this EIS. All indicate serious concerns about the potential negative effect of SURTASS LFAS on the health and well being of marine mammals and our oceans. Given this information and observations I personally witnessed in 1998(I-683), I share the grave concerns about the

negative impact LFAS could have on our oceans and all life within our seas. I am strongly opposed to NMFS granting any kind of permit which would support the Navy's implementation of LFAS. As I understand it, to grant a small take permit, NMFS has to find that the activity will not "take" more than a small number of marine mammals within a specified area and won't have more than a negligible impact on any particular species or stock. We have clearly seen that whales will stop singing, alter their course and at times leave an area that is their usual habitat for significant biological functions in response to LFAS. We have data of documented whale deaths very likely in response to mid range frequency Naval exercises and we have evidence of the likely relationship of LFAS on at least one baby whale death here in Hawaii during the LFAS testing here in 1998.

The Navy's response to Comment 4-5.25: "Why wasn't there a discussion of: 1) the melon-headed whale calf that was rescued off Hawaii shortly after Phase III," is inadequate. To say that the melon headed whale incident was not discussed because it occurred two weeks following the LFAS transmissions demonstrates the Navy's lack of attention and consideration for potential long term effects of the LFAS on marine mammals. It is conceivable that this animal was negatively effected in some way by the LFAS transmission and it did not come to human attention until two weeks later when it was rescued from Kealekekua Bay by helicopter.

The issues I raised in my original letter voicing concern for possible long range and cumulative impact on whale mating behaviors, conception, pregnancy, birth, congenital defects, feeding, food source, social and navigational communications systems and overall physical health remain. To my knowledge and also remarked upon by Linda Weilgart, PhD there is no known methodology for long term assessment of these factors in these animals in the wild.

Of note, the Maui County Council recently passed a resolution opposing the US Navy's proposed SURTASS LFAS program. I am a resident of Maui County, Hi. and pleased with the Maui County Council's choice to pass this resolution. Public awareness is growing and concerns about the potentially negative impacts of this program are strong amongst informed citizens.

Thank you for the opportunity to comment on the Navy's SURTASS LFAS EIS. I ask you to deny the Navy permits needed to implement this program. Please support the No Action Alternative. Mahalo.

Sincerely,

Dawn Ferguson APRN MSN

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CcSenator Akaka
Senator Inouye
Representative Patsy Mink